

Serial No. 10/591,640

Submission Dated: November 24, 2009

Reply to Office Action Mailed: July 27, 2009

Attorney Docket No. 100341.58126US

## **REMARKS**

This is in response to the non-final office action dated July 27, 2009, for which a response is due by November 27, 2009 with the enclosed one-month extension of time. In the non-final office action, the Examiner first objected to claim 17 for containing an informality. Correction has been made. Claims 14 – 16 and 22 – 25 were rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite. Additionally, claims 14 – 28 were rejected under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent No. 4,784,482 (“Guilino”). Claims 14, 17, 22 and 23 have been amended. No new matter has been added. Claims 14 – 28 remain pending. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

### **I. Rejection Under 35 U.S.C. 112**

#### **A. Claims 14 and 23**

Claims 14 and 23 have been amended to clarify that the “rear face . . . is constructed substantially based on desired cosmetic properties,” consistent with the assumed meaning applied by the Examiner for examination purposes. Applicants believe this fully addresses the Examiner’s Section 112 rejection of claims 14 and 23, and withdrawal of such is respectfully requested.

#### **B. Claims 15, 16, 24 and 25**

With respect to the phrase “outermost peripheral rays to the rear face,” Applicants note that this phrase is used in the context of defining the curve dividing the recited “viewing region” from the “carrier rim region” of the rear face or rear surface. As recited, the dividing curve “connects penetrating points of outermost peripheral rays to the rear face,” where the peripheral rays are also referred to in the specification as the “main rays” or “critical rays.” Such “main rays” are

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described in detail in at least paragraphs [0008] – [0011]. *See also* “main ray HS” from Figs. 1 & 2. As described therein and recited in the claims, the outermost peripheral rays (i.e., main rays) are those rays which under direct vision (see e.g., Fig. 2) penetrate the front face of the lens and after refraction through the spectacle lens just barely pass through a point of rotation of the eye (Z’), when the lens is in a use position in front of the eye. See ¶¶ [0008] – [0011]. In the case of indirection vision (Fig. 1), the outermost peripheral rays are those rays which penetrate the front face of the lens and after refraction through the spectacle lens just barely pass through the center of the entrance pupil of the eye (EP). See ¶¶ [0008] – [0011].

Thus, Applicants submit that the claimed “outermost peripheral rays” are definite when read in light of the specification, and as such claims 15, 16, 24 and 25 are definite under 35 U.S.C. 112, second paragraph.

C. Claim 22

Applicants have amended claim 22 to clarify that the volume and mass of the entire lens are reduced.

**II. Rejection Under 35 U.S.C. 102(b)**

Guilino discloses a multi-focal lens with a high positive power, which has a convex front surface and a concave rear surface (i.e., inside surface 4). The convex front surface is an aspheric surface having a central focal section 1, a transitional section 2 surrounding the focal section 1, and a margin or rim section 3 which, together with the rear surface (inside surface 4), “forms an afocal margin of constant thickness with the inside surface 4.” Guilino, col., 3, ll. 18 – 23. In short, the rear surface is a simple, continuous surface, i.e., a surface which is not divided into any particular sections or zones.

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In contrast, the pending claims relate to a lens that has a complex rear face or rear surface which exhibits a central viewing portion and a carrier rim region. The specification describes in detail how the rear face (rear surface) of the spectacle lens is formed.

More specifically, amended claim 14 recites, in pertinent part, that the lens has “an eye-sided rear face that comprises a viewing region . . . and a carrier rim region . . . , wherein the rear face in the carrier rim region is construction substantially based on cosmetic properties, without consideration of optical image-forming properties.” Claim 23 contains corresponding limitations. Applicants submit that the simple and continuous rear surface (inside surface 4) of the lens in Guilino fails to anticipate the recited “eye-sided rear face” of the pending claims as it fails to include the various recited features thereof.

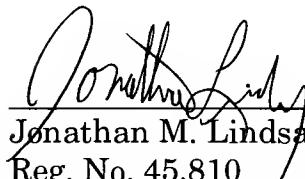
### **III. Conclusion**

Accordingly, Applicants submit that Guilino fails to teach or disclose each and every claimed limitation and, as such, fails to anticipate the pending claims. Applicants further submit that the dependent claims are allowable at least by virtue of depending on allowable base claims. Applicants respectfully submit that the application is now in condition for allowance. The Examiner is invited to contact the undersigned should he have any questions. If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket # 100341.58126US).

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Respectfully submitted,  
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